

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

2004 JUN 29 P 4:25

PAUL J. McNALLY, as he is TRUSTEE,  
MASSACHUSETTS LABORERS' HEALTH AND  
WELFARE FUND and NEW ENGLAND LABORERS'  
TRAINING TRUST FUND; JAMES MERLONI, JR.,  
as he is TRUSTEE, MASSACHUSETTS LABORERS'  
PENSION FUND and MASSACHUSETTS LEGAL  
SERVICES FUND; MARTIN F. WALSH, as he is  
TRUSTEE, MASSACHUSETTS LABORERS'  
ANNUITY FUND,

U.S. DISTRICT COURT  
DISTRICT OF MASS.

Plaintiffs

C.A. No. 03-12609 DPW

vs.

DERBES REALTY TRUST,  
Defendant

and

WEYMOUTH CO-OPERATIVE BANK,  
Trustee

**MOTION FOR EXTENSION OF TIME TO FILE  
FOR ENTRY OF DEFAULT JUDGMENT**

Plaintiffs Paul J. McNally, as he is Trustee, Massachusetts Laborers' Health and Welfare Fund, et al, herein respectfully move this honorable Court for an extension of time until July 26, 2004 in which to file Plaintiffs' Motion for Entry of Default Judgment. As grounds therefore, Plaintiffs state as follows:

1. The parties have been attempting to resolve the above-captioned matter.
2. The Defendant has agreed to an audit of its records, scheduled for July 8, 2004, to ensure that it has correctly reported the hours worked by its employees.

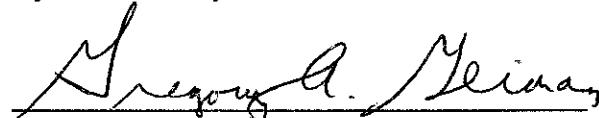
3. Judicial resources, as well as the parties' resources, will be conserved if the matter can be settled promptly and efficaciously.

WHEREFORE, Plaintiffs seek an extension of time until July 26, 2004 in which to file for Entry of Default Judgment in this matter.

Respectfully submitted,

PAUL J. McNALLY, as he is  
TRUSTEE, MASSACHUSETTS  
LABORERS' HEALTH AND WELFARE  
FUND, et al,

By their attorneys,

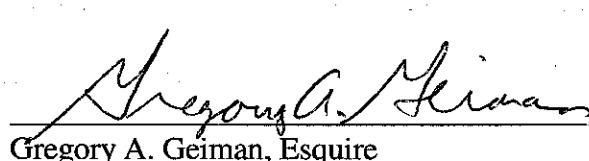


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Dated: June 29, 2004

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above Motion for Extension of Time to File for Entry of Default Judgment has been served by certified and first class mail upon Derbes Realty Trust at 44 Branch Street, Quincy, MA 02169 this 29<sup>th</sup> day of June, 2004.



Gregory A. Geiman, Esquire